No Objection to Declassification in Full 2011/09/15 : LOC-HAK-474-5-1-9

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

September 16, 1969

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National Security Decision Memorandum 23

NSS review completed.

TO: The Secretary of State
The Secretary of Defense
The Director of Central Intelligence

SUBJECT: Vietnam Special Studies Group

In order to more systematically assess the facts upon which Vietnam policy decisions should be based, the President has directed the formation of a Vietnam Special Studies Group.

This group will:

-- sponsor and direct on a continuous basis systematic analyses of U.S. programs and activities in Vietnam,

-- undertake special analytical studies on a priority basis as required to support broad policy and related program decisions,

-- provide a forum for and encourage systematic inter-agency analysis of U.S. programs and activities in Vietnam.

The Group will meet as necessary to initiate and review studies and to supervise the preparations of issues papers for consideration by the President and the National Security Council. The Group will conduct its affairs without prejudice to the existing interdepartmental framework concerned with day-to-day operational matters on Vietnam.

The membership of the Vietnam Special Studies Group shall include:

The Assistant to the President for
National Security Affairs (Chairman)
The Under Secretary of State
The Deputy Secretary of Defense
The Director of Central Intelligence
The Chairman, Joint Chiefs of Staff

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Depending on the issue under consideration, other agencies shall be represented at the discretion of the Chairman.

Henry A. Kissinger

cc: Chairman, Joint Chiefs of Staff

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THE WHITE HOUSE

WASHINGTON

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February 17, 1970

National Security Decision Memorandum 40

TO: The Secretary of State
The Secretary of Defense
The Director of Central Intelligence

SUBJECT: Responsibility for the Conduct, Supervision and Coordination of Covert Action Operations

I have determined that it is essential to the defense and security of the United States and its efforts for world peace that the overt foreign activities of the U.S. Government continue to be supplemented by covert action operations.

By covert action operations I mean those activities which, although designed to further official U.S. programs and policies abroad, are so planned and executed that the hand of the U.S. Government is not apparent to unauthorized persons.

The covert actions of the U.S. Government abroad shall be subject to coordination and control by the Director of Central Intelligence. All such covert action operations, unless otherwise specifically assigned by the President, shall be carried out by the Central Intelligence Agency. The Director of Central Intelligence shall be responsible for assuring that covert action operations are planned and conducted in a manner consistent with U.S. foreign and military policies, and for consulting with and obtaining appropriate coordination from any other interested agencies or officers on a need-to-know basis. The Director of Central Intelligence shall obtain policy approval for all major and/or politically sensitive covert action programs through The 40 Committee.

The 40 Committee as presently constituted consists of the Assistant to the President for National Security Affairs as Chairman, the Attorney General, the Under Secretary of State for Political Affairs, the Deputy Secretary of Defense, and the Director of Central Intelligence.

The Director of Central Intelligence will be responsible for insuring an annual review by The 40 Committee of all covert action programs previously approved.

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Also subject to The 40 Committee's policy review and specific operational mission approval are the following programs originating in the Department of Defense: the monthly Joint Reconnaissance Center Schedule, missions of the National Reconnaissance Organization and the National Underwater Reconnaissance Program. Furthermore, any proposals for covert activities or operations from agencies not represented on The 40 Committee shall be subject to that committee's approval unless otherwise directed by the President.

Covert action operations shall include any type of activity necessary to carry out approved purposes except that they will not include armed conflict by regular military forces, or cover and deception for active military operations by the armed forces of the United States.

This directive supersedes and rescinds NSC 5412/2.

cc: The Attorney General
The Assistant to the President
for National Security Affairs

No Objection to Declassification in Full 2011/09/15 : LOC-HAK-474-5-1-9